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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,607	03/21/2005	Jeroen Anton Johan Leijten	260669	4040
23460 7590 08/11/2008 LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731				
EXAMINER				
ELLIS, RICHARD L				
ART UNIT		PAPER NUMBER		
2183				
MAIL DATE		DELIVERY MODE		
08/11/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/528,607

Applicant(s)

LEIJTEN ET AL.

Examiner

Richard Ellis

Art Unit

2183

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-8 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 2, 4-7, 13-15 and 18 is/are allowed.
- 6) ☒ Claim(s) 8, 16 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. Claims 1-2, 4-8 and 13-18 are presented for examination.
2. The drawings are objected to as failing to comply with 37 CFR § 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: IMU, UC₄, UC₀, UC₁, UC₂, UC₃, RF₂, RF₁, RF₀, CN, SQ, FU₂₀, FU₂₁, FU₂₂, DEC, TSC, IRN, ORN. Correction is required. This objection is maintained from the previous office action, paper number 20070517, mailed May 22, 2007.
3. The objection to the drawings above is maintained from the prior office action, mailed January 30, 2008. Applicant's response indicates that they are preparing replacement drawing sheets to correct the omission noted in the prior action. However, the above drawing objection must be maintained by the office until the replacement drawing sheets are submitted.
4. The following is a quotation of the appropriate paragraphs of 35 USC § 102 that form the basis for the rejections under this section made in this Office action:
A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
5. Claims 8 and 16-17 are rejected under 35 USC § 102(b) as being anticipated by Slavenburg, U.S. Patent 6,122,722.
Slavenburg first cited as a prior art reference in the office action mailed December 21, 2006.
Slavenburg taught (e.g. see figs. 1-11) the invention as claimed (as per claim 8), including a data processing ("DP") system comprising:
 - A. storing input data in a register file (fig. 3, 403);
 - B. processing data retrieved (401) from the register file (403) based on control signals ("CONTROL UNIT") generated from a set of instructions being executed in parallel ("IIR"), using a plurality of issue slots ("ISSUE 1" ... "ISSUE 3") controlled by a set of control words being generated from the set of instructions ("CONTROL UNIT"), and wherein each issue slot comprises a plurality of functional units ("CONST UNIT", "ALU₁ UNIT", "ALU₂ UNIT", "MUL UNIT", "FPU UNIT", "MEM UNIT"), and;

- C. loading an immediate value into a dedicated issue slot ("CONST UNIT" in dependence upon a dedicated instruction (fig. 4, 403) comprising the immediate value ("CONSTANT FIELD")).
6. As to claim 16, Slavenburg taught the dedicated issue slot was controlled (fig. 3, "CONTROL UNIT") to load the immediate value by a control word consisting of the immediate value (fig. 4, 403, "CONSTANT FIELD", fig. 7 "CONSTANT (PSEUDO UNIT 1 OUTPUT).
7. As to claim 17, Slavenburg taught executing the dedicated instruction (fig. 4, 403) with a single functional unit of the dedicated issue slot (fig. 3, "CONST UNIT").
8. Claims 8 and 16-17 are rejected under 35 USC 102(b) as being anticipated by Mehra, U.S. Patent 5,974,537.
- Mehra was first cited as a prior art reference in the office action mailed December 21, 2006.
- Mehra taught (e.g. see figs. 1-6) the invention as claimed (as per claim 8), including a data processing ("DP") system comprising:
- A. storing input data in a register file (fig. 5, 540);
 - B. processing data retrieved from the register file based on control signals generated from a set of instructions being executed in parallel (520), using a plurality of issue slots controlled by a set of control words being generated from the set of instructions (521, 522, 523), and wherein each issue slot comprises a plurality of functional units (531, 532, 533, 534, 535, 536, 537), and;
 - C. loading an immediate value (fig. 6, 610, "CONSTANT") into a dedicated issue slot (531) in dependence upon a dedicated instruction (610) comprising the immediate value ("CONST").
9. As to claim 16, Mehra taught the dedicated issue slot was controlled to load the immediate value ("CONSTANT") by a control word consisting of the immediate value (610).
10. As to claim 17, Mehra taught executing the dedicated instruction with a single functional unit of the dedicated issue slot (531).

11. Claims 1-2, 4-7, 13-15 and 18 are allowable over the prior art of record. Cancellation of claims 8 and 16-17 in any response to this office action would result in allowance of the entire application.
12. This is a request for continued examination application. All rejected claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. In fact, applicant has failed to amend or argue any of the rejected claims in the amendment accompanying the request for continued examination. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR § 1.136(a).
13. A shortened statutory period for response to this final action is set to expire **THREE MONTHS** from the date of this action. In the event a first response is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR § 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than **SIX MONTHS** from the date of this final action.
14. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Richard Ellis whose telephone number is (571) 272-4165. The Examiner can normally be reached on Monday through Thursday from 7am to 5pm.
- If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Eddie Chan, can be reached on (571) 272-4162. The fax phone number for the USPTO is: (703)872-9306.
- Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

/Richard Ellis/
Primary Examiner, Art Unit 2183
August 5, 2008